



## FOREST SERVICE MANUAL PACIFIC NORTHWEST REGION (REGION 6) PORTLAND, OREGON

### FSM 7730 OPERATION AND MAINTENANCE

#### CHAPTER 30

**Supplement No.:** R6/PNW-7730-2002-1

**Effective Date:**

**Duration:**

**Approved:** LINDA GOODMAN  
Acting Regional Forester

**Date Approved:**

**Posting Instructions:** Interim directives are numbered consecutively by Title and calendar year. Post by document name at the end of the chapter. Retain this transmittal as the first page of this document.

<b>New Document(s):</b>	7730 OPERATION AND MAINTENANCE	
<b>Superseded Document(s):</b> (None)	None	

**Digest:**

Provides direction for All-Terrain Vehicle mixed use on roads

**FSM 7730- OPERATION AND MAINTENANCE  
CHAPTER 30**

**7730.2-Objective:**

Provide consistent USDA Forest Service, Region 6 policy concerning All-Terrain Vehicles (ATV), Off-Road Vehicles (ORV), Off-Highway Vehicles (OHV), or Non-Highway Vehicles on roads authorized for such use. State Laws, 36 CFR (Parts 212, 261, and 295), Road Management Objectives (FSM 7712.5), and the applicable engineering safety analysis processes provide the framework for determining the feasibility of mixed use on roads.

**7730.3- Policy:**

- Provide ATV recreation opportunities on roads that serve the public needs and meet land management and recreation policy objectives of USDA Forest Service, Region 6 on lands within Oregon, California, and Washington States.
- Provide ATV recreation opportunities that emphasize the natural setting of public lands and are consistent with land capability.
- Provide ATV recreation opportunities on existing roads while considering: 1) visual disturbances; 2) the ATV experience is consistent with the ROS class which covers all areas; 3) cultural resources; 4) noxious weeds; 5) direct and indirect wildlife habitat fragmentation, abandonment, and physiological effects; 6) degradation of aquatic resources and soils; 7) effects to air quality; 8) private lands; and 9) safe ATV use on roads.

**7730.5-Definitions:**

- For the purpose of this policy, the term ATV, ORV, OHV, and Non-Highway Vehicles are synonymous. Oregon Definitions for Class I, Class II, and Class III ATV's will be used for all States. (Exhibit A)
- "Street Legal" – Vehicles that can be legally operated on public streets, roads, and highways.
- "Motor Vehicle" – Any self propelled, wheel conveyance that does not run on rails (Houghton-Mifflin Dictionary)
- "Mixed Use," – The simultaneous use of a road(s) by ATV and street legal vehicles.
- "Public Road" – See definitions in FSM 7705
- Paved Roads – Include roads with bituminous surface treatments, hot or cold asphalt surfacing and concrete surfacing.
- Definitions of road maintenance levels are found in FSH 7709.58, Section 12.3

**FSM 7730- OPERATION AND MAINTENANCE  
CHAPTER 30**

**7731.11-Strategies:**

Management of ATV use on roads:

- Level 1 (roads) Motorized ATVs are allowed. The road is open to vehicles 50 inches or less in width with a dry weight of 800 pounds or less. Maintenance level 1 roads will be considered open to ATV use unless closed by an order.
- Level 2 – ATV use may be accepted and such use managed and enforced in accordance with applicable State Laws and Federal Regulations. Maintenance level 2 roads will be considered open to ATV use unless closed by an order. Exceptions for excluding ATV use may include:
  - When roads are signed and being used for commercial purposes such as timber haul, mining, or reconstruction activities.
  - When on-the-ground conditions indicate a need for resource protection.
  - Acts of god such as fires, floods, or other natural disasters.
  - When deemed appropriate, an engineering safety analysis determines the risks are too high to allow mixed-use designation.
  - During periods when use conflicts with other seasonal closures or uses.
- Level 3-5 (non – paved roads) – ATV use will be prohibited using 36 CFR 261.54. However, after completing, documenting and approving an appropriate safety analysis, Forest Supervisors may approve ATV use on these roads in accordance with applicable State Laws and Federal Regulations. (FSH 7709.59, Chapter 52)
- Paved Roads – Regardless of the maintenance level, ATV use on paved roads will be prohibited. Exemptions would include, Forest Supervisor approval following the procedure as stated above and for ATV routes that cross Level 3-5 paved roads.
- Maintenance level 3-5 roads will be closed unless open to ATV use by an order.
- The appropriate safety analysis process and form can be found in the following: USDA Forest Service – WO Amendment 7709. 59-91-1, Paragraph 52 – Coordination of Uses, and EM 7100-15 (Standards for Forest Service Signs and Posters), 11.2 Engineering Studies.
  - All maintenance level 3-5 roads, or portions thereof, found to be appropriate for mixed-use, must have the appropriate signing installed to warn all vehicles using the road(s) of their mixed-use designation.

**FSM 7730- OPERATION AND MAINTENANCE  
CHAPTER 30**

- Connecting or adjacent segments of maintenance level 3-5 roads not allowing ATV use must be signed showing ATV use is prohibited.
- Signing must be in place prior to allowing mixed-use to occur. A more positive signing system; such as, the green dot system, could be used, to supplement the signing, if it is effective. (Exhibit B)

**FSM 7730- OPERATION AND MAINTENANCE  
CHAPTER 30**

**General Requirements:**

- Persons using ATV's on roads will abide by all State Laws and Federal Regulations governing such use.
- Persons using ATV's on National Forest Lands within Region 6, will have the appropriate State ATV permit attached to the ATV at all times while operating on these lands.
- Operation of all-terrain vehicle without permit and decal (1) A person commits the offense of operating an all-terrain vehicle without a permit and a decal if the person operates an all-terrain vehicle without a permit and a decal on National Forest Lands designated by the appropriate authority as open to all-terrain vehicles.
- Exceptions for not requiring State tags, permits, or stickers include: 1) ATV's owned by Federal and State agencies; 2) ATV operations on privately owned lands; and 3) ATV's used in search and rescue operations under the authority or direction of an appropriate search and rescue or law enforcement agency.
- ATV operations on roads will be limited to daylight hours, except in the case of emergencies, or if ATV's are equipped with headlights, tail lights, turn signals, and brake lights.
- ATV vehicles shall meet all State equipment and safety requirements to include such items as proper brakes, adequate and operating muffling device applicable noise emission standards in accordance with 36 CFR 261.13(d), and State law requirements concerning the mandatory use of personal safety equipment.
- ATV operators shall abide by all State Laws concerning the carrying of firearms and bows, the hunting or harassing of animals, and committing unlawful damage.
- ATV's must be equipped with approved Spark Arresters.

**FSM 7730- OPERATION AND MAINTENANCE  
CHAPTER 30**

**EXHIBIT A**

**Class I All Terrain Vehicle:**

Class I All Terrain Vehicle means a motorized, off-highway recreational vehicle 50 inches or less in width with a dry weight of **800** pounds or less that travels on three or more low pressure tires, has a saddle or seat for the operator and is designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain.

**Class II All Terrain Vehicle:** Means any vehicle that:

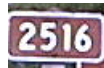
- (1) Weighs more than a Class I all – terrain vehicle and less than 8,000 pounds.
- (2) Is designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain; and
- (3) Is actually being operated off a highway.

**Class III All Terrain vehicle:** Means an off – highway motorcycle with a dry weight of 600 pounds or less that travels on two tires.

**FSM 7730- OPERATION AND MAINTENANCE  
CHAPTER 30**

**EXHIBIT B  
SIGNING**

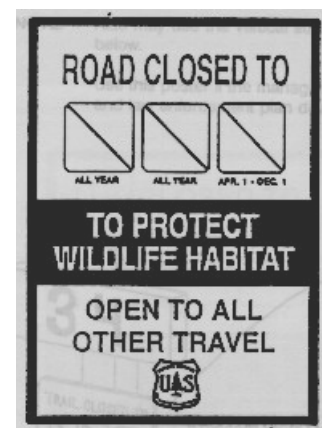
Examples of Forest Service signing on maintenance level 3-5 (passenger car) roads:



Examples of Forest Service signing on maintenance level 2 (high clearance) roads:



Examples of Forest Service signing on maintenance level 1 (prohibited) closed roads:  
(A legal order citing the appropriate CFR shall be prepared and enforced)



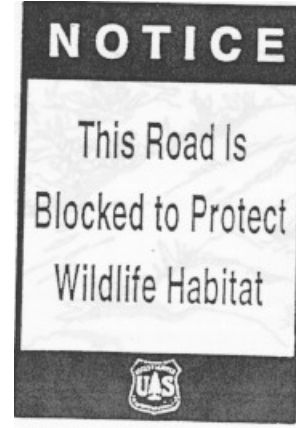
**FSM 7730- OPERATION AND MAINTENANCE  
CHAPTER 30**

**EXHIBIT B SIGNING CONTINUED**

Example of Forest Service maintenance level 1 administrative (discourage) closed roads:  
(A CFR is not written for this type of closure)



or



General signing that can be used when managing ATV/OHV use:



OHV-8257



FS-8587



115FIS-8138



OHV-8259



WMA-8131



WACRV-8146



FS-8171



TL-8622



TL-0021



CPW-8805



RA-8197



FS-8139



DRFT-8153